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## TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/525,361

Filing Date

March 15, 2000

First Named Inventor

David Mack

Group Art Unit

1655

Examiner Name

Johannsen, D.

RECEIVED

MAY 03 2002

TECH CENTER 1600/2900

Attorney Docket Number

018501-009130US

COPY OF PAPERS  
ORIGINALLY FILED

Fee Transmittal Form

Fee Attached

Amendment / Response

After Final

Affidavits/declaration(s)

Extension of Time Request

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Response to Missing Parts/ Incomplete Application

Response to Missing Parts under 37 CFR 1.52 or 1.53

### ENCLOSURES (check all that apply)

Assignment Papers (for an Application)

Drawing(s)

Licensing-related Papers

Petition Routing Slip (PTO/SB/69) and Accompanying Petition

Petition to Convert to a Provisional Application

Power of Attorney, Revocation Change of Correspondence Address

Terminal Disclaimer

Request for Refund

CD, Number of CD(s)

After Allowance Communication to Group

Appeal Communication to Board of Appeals and Interferences

Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

Proprietary Information

Status Letter

Other Enclosure(s) (please identify below):

Return Postcard

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name

Townsend and Townsend and Crew LLP

Kevin Bastian

Reg. No. 34,774

Signature

Date

April 22, 2002

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

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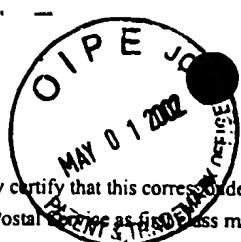
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Date

April 22, 2002

Burden Hour Statement TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
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On April 22, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Jay M. Marshall

**PATENT**  
Attorney Docket No.: 018501-009130US  
Client Ref. No.: BRCA 001-3 US

#71/D  
D3/1  
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COPY OF PAPERS  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Mack, et al.

Application No.: 09/525,361

Filed: March 15, 2000

For: NOVEL METHODS OF  
DIAGNOSING AND TREATING  
BREAST CANCER, COMPOSITIONS,  
AND METHODS OF SCREENING FOR  
BREAST CANCER MODULATORS

Examiner: Johannsen, D.

Art Unit: 1655

**RESPONSE TO NOTICE OF  
NONRESPONSIVE AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice of Non-Responsive Amendment, Applicants respectfully request reconsideration of the above-identified patent application in view of the following remarks and amendment. A petition to extend the time of response for five months from November 23, 2001 to April 23, 2002 is enclosed. Please amend the application as follows:

**IN THE CLAIMS**

Please cancel claims 1-5, 9, 15, and 35-47 without prejudice to subsequent revival.

Please add new claims 48-58.